

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

CARL DAVID COOK  
KRISTIN LEA COOK

CASE NO: 10-70040-HDH-13  
HEARING DATE: 11/17/2010  
HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
007 0 U	ACS	\$19,860.00	009 0 U	AAROW FINANCIAL SERVICES	\$2,020.00
012 0 U	CCS	\$346.00	014 0 U	CREDIT MANAGEMENT/TIME WARNER	\$6.00
015 0 U	CREDIT ONE BANK	\$1,223.00	018 0 U	EXECUTIVE SERVICES	\$813.00
019 0 U	HERRING BANK	\$1,798.00	026 0 U	SHELL OIL	\$482.00
028 0 U	TXU ENERGY	\$105.00	037 0 U	500 FASTCASH	\$325.00
038 0 U	ACE	\$1,270.47	042 0 U	AMERILOAN	\$65.00
043 0 U	AAROW FINANCIAL SERVICES	\$3,142.00	048 0 U	CASH NET USA	\$627.40
049 0 U	CHECK N GO	\$1,159.79	050 0 U	CHECK N GO	\$313.52
051 0 U	CMG GROUP	\$500.00	052 0 U	EXECUTIVE SERVICES	\$95.00
053 0 U	EXECUTIVE SERVICES	\$442.00	054 0 U	FIRST BANK OF DELAWARE	\$1,008.91
055 0 U	GLOBAL GROUP HOLDINGS	\$500.00	056 0 U	HERRING BANK	\$1,706.00
058 0 U	IDEAL GELT	\$650.00	059 0 U	JVC	\$500.00
060 0 U	LOAN POINT USA	\$600.00	061 0 U	MY CASH CENTER	\$509.69
062 0 U	PAYCHECK TODAY	\$500.00	063 0 U	PAYDAY LOAN YES	\$455.00
064 0 U	STAR CASH	\$350.00	066 0 U	TXU ENERGY	\$105.00
067 0 U	TXU ENERGY	\$104.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
011 0	CAPITAL ONE AUTO FINANCE	2006 CHEVY TRAILBLAZER	\$14,539.10	\$13,000.00	9.00%	57	\$317.59 PAID BY TRUSTEE
Extended term from 50 to 57 months. See modification below.							
013 0	WICHITA COUNTY	2010 PROPERTY TAXES - 2808 CONCHO	\$2,240.00	\$105,782.00			PD DIRECT BY DEBTOR

# **PRIORITY CREDITORS**

003 0 INTERNAL REVENUE SERVICE 2006 INCOME TAXES \$2,489.15 57 \$55.31 PAID BY TRUSTEE  
 Extended term from 50 to 57 months. See modification below.

# **UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount
008 0 U	PANHANDLE PLAINS <i>STUDENT LOAN - LATE FILED</i>	\$55,707.80
011 1 U	CAPITAL ONE AUTO FINANCE <i>SPLIT CLAIM/2006 CHEVY TRAILBLAZER</i>	\$1,539.10
020 0 U	HSBC BANK NEVADA <i>PURCHASES</i>	\$595.63
022 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/MARIN</i>	\$1,447.30
024 0 U	BECKET & LEE LLP <i>PURCHASES/WELLS FARGO</i>	\$327.31
027 0 U	OAK HARBOR CAPITAL LLC <i>PURCHASES</i>	\$389.47
032 1 U	WACHOVIA DEALER SERVICES <i>SPLIT CLAIM/2004 DODGE INTRIPID</i>	\$1,780.14
039 0 U	ACS <i>STUDENT LOAN</i>	\$33,227.36
041 0 U	PANHANDLE PLAINS <i>STUDENT LOAN - LATE FILED</i>	\$9,705.82
045 0 U	CAPITAL ONE BANK USA <i>PURCHASES</i>	\$1,735.30
047 0 U	CAPITAL ONE BANK USA <i>PURCHASES</i>	\$1,175.85
065 0 U	COTTONWOOD FINANCIAL TEXAS LP <i>LOAN/THE CASH STORE</i>	\$453.92
081 0 U *	WELLS FARGO BANK NA <i>SERVICES</i> <i>Not provided for in confirmed plan.</i>	\$657.56
086 0 U *	ASSET ACCEPTANCE LLC <i>SERVICES/X-CEL</i> <i>Not provided for in confirmed plan.</i>	\$745.35

Trustee Clm#	Creditor Name	Claim Amount
010 0 U	CAPITAL ONE BANK USA <i>PURCHASES</i>	\$2,242.43
016 0 U	DISCOVER FINANCIAL SERVICES <i>PURCHASES</i>	\$1,501.33
021 0 U	ADVANTAGE ASSETS, INC <i>SERVICES</i>	\$1,177.31
023 0 U	MIDLAND CREDIT MANAGEMENT <i>PURCHASES/GE MONEY BANK</i>	\$650.19
025 0 U	PRECISION RECOVERY ANALYTICS INC <i>PURCHASES/OLD NAVY</i>	\$348.96
030 0 U	US DEPT OF EDUCATION <i>STUDENT LOAN</i>	\$13,436.92
036 0 U	MYCASHCENTER.COM <i>LOAN</i>	\$560.64
040 0 U	PANHANDLE PLAINS <i>STUDENT LOAN - LATE FIELD</i>	\$17,158.97
044 0 U	CAPITAL ONE BANK USA <i>PURCHASES</i>	\$1,771.20
046 0 U	CAPITAL ONE BANK USA <i>PURCHASES</i>	\$1,688.65
057 0 U	HSBC BANK NEVADA <i>PURCHASES</i>	\$586.80
080 0 U *	BUREAUS INVESTMENT GROUP PORT NO 7 <i>PURCHASES</i> <i>Not provided for in confirmed plan.</i>	\$891.08
085 0 U *	ASSET ACCEPTANCE LLC <i>PURCHASES/WFNNB BEALLS</i> <i>Not provided for in confirmed plan.</i>	\$2,802.11

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

## **IV.**

## **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All creditors shall be treated over a 57 month plan term.  
 Debtors plan term shall be extended from 50 to 57 months. Debtor shall pay \$609 per month beginning March 2010 for 57 months for a total plan base amount of \$34,713.00.

/s/ Walter O'Cheskey

Walter O'Cheskey  
 Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 11/17/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

---

Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 9/21/2010

/s/ Walter O'Cheskey

---

Walter O'Cheskey  
Chapter 13 Trustee

500 FASTCASH 515 G SE MIAMI OK 74354  
AAROW FINANCIAL SERVICES 5996 W TOUHY AVE NILES IL 60714  
ACE 1231 GREENWAY DR STE 600 IRVING TX 75038  
ACS PO BOX 22724 LONG BEACH CA 90801  
ACS STUDENT BANKING GROUP POB BOX 182174 COLUMBUS OH 43218  
ACS/PANHANDLE PLAINS HERRING BANK 1900 PEASE ST VERNON TX 76384  
ADVANTAGE ASSETS, INC 7322 SW FRWY STE 1600 HOUSTON TX 77074  
AMERILOAN 198 SOUTH EIGHT TRIBES TRAIL MIAMI OK 74355  
ASSET ACCEPTANCE LLC PO BOX 2036 WARREN MI 48090  
BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056  
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355  
BUREAUS INVESTMENT GROUP PORTFOLIO NO 7 C/O THE BUREAUS INC 1717 CENTRAL AVE EVANSTON IL 60201  
CAPITAL ONE AMERICAN INFOSOURCE PO BOX 54529 OKLAHOMA CITY OK 73154  
CAPITAL ONE AUTO FINANCE 3901 DALLAS PKWY PLANO TX 75093  
CAPITAL ONE AUTO FINANCE PO BOX 821209 DALLAS TX 75382  
CAPITAL ONE AUTO FINANCE PO BOX 829009 DALLAS TX 75382  
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272  
CARL DAVID COOK & KRISTIN LEA COOK 2808 CONCHO WICHITA FALLS TX 76308  
CASH NET USA 200 W JACKSON BLVD STE 1400 CHICAGO IL 60606  
CCS 500 E 60TH ST N SIOUX FALLS SD 57104  
CHECK N GO 7755 MONTGOMERY ROAD STE 400 CINCINNATI OH 45236  
CITY OF WF, WFLSD AND WICHITA COUNTY C/O PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307  
CMG GROUP 11 EAST GREGORY STE 200 KANSAS CITY MO 64114  
COTTONWOOD FINANCIAL TEXAS LP 1901 GATEWAY DRIVE, SUITE 200 IRVING TX 75038  
CREDIT MANAGEMENT/TIME WARNER CABLE 4200 INTERNATIONAL PKWY CARROLLTON TX 75007  
CREDIT ONE BANK PO BOX 98872 LAS VEGAS NV 89193  
DISCOVER FIN SVCS LLC PO BOX 15316 WILMINGTON DE 19850  
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054  
EXECUTIVE SERVICES 1200 AUSTIN ST WICHITA FALLS TX 76301  
FIRST BANK OF DELAWARE PO BOX 37727 PHILADELPHIA PA 19101  
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131  
GLOBAL GROUP HOLDINGS PO BOX 901795 KANSAS CITY MO 64153  
GREAT LAKES HIGHER EDUCATION CLAIMS FILING UNIT PO BOX 8973 MADISON WI 53708  
HERRING BANK 1900 PEASE ST VERNON TX 76384  
HSBC BANK NEVADA C/O PRA RECEIVABLES MANAGEMENT PO BOX 12907 NORFOLK VA 23541  
HSBC BANK/BANKRUPTCY PO BOX 5253 CAROL STREAM IL 60197  
IDEAL GELT 2500 WILCREST DR STE 201 HOUSTON TX 77042  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
JVC 7211 NW 83RD ST KANSAS CITY MO 64152  
LOAN POINT USA PO BOX 148 SHAWNEE MISSION KS 66201  
LTD FINANCIAL SVCS LP 7322 SOUTHWEST FWY STE 1 HOUSTON TX 77074  
MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE SUITE 200 SAN DIEGO CA 92123  
MIDLAND CREDIT MANAGEMENT INC PO BOX 939019 SAN DIEGO CA 92193  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
MY CASH CENTER 1614 ST MICHAEL DR TEXARKANA TX 75503  
MYCASHCENTER.COM 1614 HAMPTON ROAD TEXARKANA TX  
NCO FINANCIAL SYSTEMS 507 PRUDENTIAL ROAD HORSHAM PA 19044  
OAK HARBOR CAPITAL LLC C/O WEINSTEIN & RILEY PS 2001 WESTERN AVE STE 400 SEATTLE WA 98121  
OAK HARBOR CAPITAL LLC C/O WEINSTEIN & RILEY PS PO BOX 3978 SEATTLE WA 98124  
PANHANDLE PLAINS TEXAS GUARANTEED STUDENT LOAN CORP PO BOX 83100 ROUND ROCK TX 78683  
PARAGONWAY 2101 WEST BEN WHIT AUSTIN TX 78704  
PAYCHECK TODAY 515 G NE MIAMI OK 74354  
PAYDAY LOAN YES 4001 SOUTH 700 SALT LAKE CITY UT 84157  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
PRECISION RECOVERY ANALYTICS INC C/O B-LINE LLC MS 550 PO BOX 91121 SEATTLE WA 98111  
SHELL OIL ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
STAR CASH 3531 P ST NW MIAMI OK 74355  
TARGET NATIONAL BANK C/O WEINSTEIN & RILEY PS 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121  
TARGET PO BOX 9475 MINNEAPOLIS MN 55440  
THE CASH STORE 3900 SHEPPARD ACCESS ROAD WICHITA FALLS TX 76308  
TXU ENERGY 200 W JOHN CARPENTER FWY IRVING TX 75039  
TXU ENERGY RETAIL COMPANY C/O BANKRUPTCY DEPARTMENT PO BOX 650393 DALLAS TX 75265  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
US DEPT OF ED/GLELSI 2401 INTERNATIONAL LN MADISON WI 53704

US DEPT OF EDUCATION PO BOX 530229 ATLANTA GA 30353

WACHOVIA DEALER SERVICES PO BOX 19657 IRVINE CA 92623

WACHOVIA DEALER SERVICES PO BOX 25341 SANTA ANA CA 92799

WELLS FARGO BANK LEGAL PRACTICE MANAGEMENT 15000 SURVEYOR BLVD ADDISON TX 75001

WELLS FARGO BANK NA PO BOX 63491 MAC A143-042 SAN FRANCISCO CA 94163

WELLS FARGO BANK PO BOX 5058 MAC P6053 021 PORTLAND OR 97208

WELLS FARGO HM MORTGAG 8480 STAGECOACH CIR FREDERICK MD 21701

WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS / MAC # X2302-04C BANKRUPTCY PAYMENT PROCESSING DES MOINES IA 50328

WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307

WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242